

**AGENDA ITEM # 12**

March 12, 2004

To: Delta Protection Commission

From: Margit Aramburu, Executive Director

Subject: Position on In-Delta Storage Program State Feasibility Study Prepared by  
Department of Water Resources; a CALFED Program (January 2004)  
*(For Possible Commission Action)*

**BACKGROUND OF THE CALFED PROJECT:**

CALFED Record of Decision (ROD) (August 2000):

The CALFED ROD identifies an in-Delta storage project (approximately 250 TAF) which could provide both fishery benefits and enhanced water project flexibility. CALFED is to explore the lease of purchase of the Delta Wetlands project. CALFED can initiate a new project, in the event that Delta Wetlands proves cost prohibitive or infeasible.

***Delta Protection Commission briefed on In-Delta Storage Program on September 27, 2001 by staff of Department of Water Resources (DWR).***

In-Delta Storage Program Draft Summary Report (May 2002):

The report noted that based on the study evaluations and engineering design review by the Independent Board of Consultants, DWR and Bureau of Reclamation determined that the project concepts as proposed by Delta Wetlands (DW) are generally well planned, however the project as proposed by DW requires modifications and additional analyses before it is appropriate to "initiate negotiation with Delta Wetland owners or other appropriate landowners for acquisition of necessary property".

***Delta Protection Commission submitted comments dated June 24, 2002. Comments note the Delta Protection Act of 1992 states "Permit water reservoir and habitat development that is compatible with other uses." The Commission submitted advisory comments to DWR (see attached copy of letter).***

CALFED Science Program In-Delta Storage Feasibility Review Workshop  
(August 2003):

The Science Panel identified a number of issues that needed to be analyzed further.

In-Delta Storage Program State Feasibility (January 2004):

DWR released a new series of reports in January and held two public workshops on February 24 and 25. In the public workshop, DWR staff indicated that the project is technically feasible, that the project cost is approximately twice the value of the project water, but that additional research is still needed.

Scheduled Review by California Bay Delta Public Advisory Committee (BDPAC)  
(March 2004) and California Bay Delta Authority (BDA) (April 2004):

DWR will seek recommendations on future steps from the BDPAC and the BDA.

**ROLE FOR THE DELTA PROTECTION COMMISSION:**

Staff identified three options for Commission review and discussion:

- The Commission could review and comment on the proposed In-Delta Storage project for compliance with the Delta Protection Act that states *"Permit water reservoir and habitat development that is compatible with other uses."*
- The Commission could review and comment on the proposed In-Delta Storage project for compliance with the ROD commitments that include:
  - Minimizing impacts to agricultural lands.
  - Restore degraded habitat before converting agricultural land.
  - Develop new habitat on public lands before converting agricultural land.
  - Incorporate project level recreation improvements and enhancements.
- The Commission could review and comment on the proposed In-Delta Storage project for compliance with the Commission's earlier written comments.

**RECOMMENDATION OF CALFED COMMITTEE:**

The Commission's CALFED Committee recommended review of the most recent reports for compliance with the Commission's earlier written comments.

The Commission's earlier comments focused on the following issues:

- Balance of the CALFED Program Implementation in the Delta
- Alternatives Analysis
- Levees and Flood Control
- Water Quality
- Impacts to Nearby Lands
- Impacts to Delta Agriculture
- Impacts to Delta Economy
- Public Access and Recreation

- Impacts to Delta Transportation/Highways
- Consistency with Delta Protection Commission's Plan

DWR will update the Commission on the studies carried out since 2001 and 2002 presentations to the Delta Protection Commission.